

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER

Docket Number:
12093/928

Application No.
10/714,756

Filing Date
November 17, 2003

Examiner
Not Yet Known

Art Unit
3641

Invention Title
**FUEL ASSEMBLY NOZZLELESS HANDLING
TOOL AND METHOD**

Inventor(s)
George S. PABIS et al.

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Licensing and Review

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313 on May 18, 2004

John M. Vereb
John M. Vereb (Reg. No. 48,912)

RECEIVED
MAY 21 2004
LICENSING & REVIEW

Sir:

In response to the Notice dated April 23, 2004, please find the following documents to be filed in connection with the above-referenced application:

1. Copy of the Notice dated April 23, 2004;
2. Declaration Under § 152 of the Atomic Energy Act;
3. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
 - A. Any additional filing fees required under 37 C.F.R. § 1.16;
 - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
 - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
 - D. Any additional document supply fees under 37 C.F.R. § 1.19;
 - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
 - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

3. A duplicate copy of this sheet is enclosed.

Dated: May 18, 2004

By: John M. Vereb
John M. Vereb (Reg. No. 48,912)

KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)

MPD 5/20/04
HMH (US2)
5/21/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George S. PABIS et al.
Serial No.: 10/714,756
Filed: November 17, 2003
For: FUEL ASSEMBLY NOZZLELESS HANDLING TOOL
AND METHOD

Group Art Unit: 3641
Examiner: TBA
Atty Dkt No.: 12093/928

Attn: Licensing And Review
Commissioner of Patents
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

RECEIVED
MAY 21 2004
LICENSING & REVIEW

Declaration Under § 152 of the Atomic Energy Act

ok

Sir:

We, George S. PABIS, a citizen of the United States, residing at 2109 Mimosa Drive, Lynchburg, Virginia 24503, United States of America;

Darel R. CLARK, a citizen of the United States, residing at 101 Hunterdale Drive, Lynchburg, Virginia 24502, United States of America;

Anthony A. PUGH, a citizen of the United States, residing at 107 Carriage Hill Drive, Forest, Virginia 24551, United States of America;

Raymond A. KING, a citizen of the United States, residing at 2525 Link Road, Lynchburg, Virginia 24503, United States of America;
declare:

That we made and conceived the invention described and claimed in the patent application Serial No. 10/714,756 filed in the United States of America on November 17, 2003, titled FUEL ASSEMBLY NOZZLELESS HANDLING TOOL AND METHOD

That we made and conceived this invention while employed by Framatome ANP, Inc.

That the invention is related to the work I am employed to perform and was made within the scope of my employment duties.

That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of Framatome ANP, Inc.

The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

We further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful

false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature:


George S. PABIS

Date: 5/7/04

Post Office Address:

2109 Mimosa Drive, Lynchburg, Virginia 24503

Inventor's Signature:

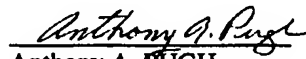

Darel R. CLARK

Date: 5-10-04

Post Office Address:

101 Hunterdale Drive, Lynchburg, Virginia 24502

Inventor's Signature:


Anthony A. FUGH

Date: 5/10/04

Post Office Address:

107 Carriage Hill Drive, Forest, Virginia 24551

Inventor's Signature:


Raymond A. KING

Date: 5/7/04

Post Office Address:

2525 Link Road, Lynchburg, Virginia 24503



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/714,756	11/17/03	PABIS, ET AL.	12093/928

KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED: MAILED

APR 23 2004

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

☒ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☐ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 305-0241

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**

FORM PTOL-456

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

The following is an example of an acceptable property rights statement. Statements of this type are, of course, only suitable for situations in which NO Agency funds or other considerations were involved in the making or conception of the invention. While this example is in the form of a declaration, a sworn document is equally acceptable.

I (We) _____
citizens of _____
residing at _____

declare:

That I (we) made and conceived the invention described and claimed in patent application:

Serial Number _____ filed in the United States of America on _____
titled _____

(Check and complete either I or II below)

(Check III and/or IV below as appropriate)

☐ I. (For Inventors Employed by an Organization) That I (we) made and conceived this invention while employed by _____. That the invention is related to the work I am (we are) employed to perform and was made within the scope of my (our) employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of _____. Other relevant facts are _____
(name of employer)

That to the best of my (our) knowledge and belief (and/or) based upon information provided by _____
of _____

—OR—

☐ II. (For Self-Employed Inventors) That I (we) made and conceived this invention on my (our) own time using only my (our) own facilities, equipment, materials, funds, information and services. Other relevant facts are _____

That to the best of my (our) knowledge and belief:

☐ III. The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

—AND/OR—

☐ IV. The invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

The undersigned inventor(s) declare further that all statements made herein of his or her (their) own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature: _____

Post Office Address: _____

Date: _____

Inventor's Signature: _____

Post Office Address: _____

Date: _____

PLEASE NOTE:

AS OF MAY 1, 2003 THE MAILING ADDRESS WILL CHANGE TO THE ADDRESS BELOW.

Attachment to form PTOL-456 (45 Day Letter), 30 Day Letter and Incomplete Letter

To ensure timely processing of your **45 Day Letter, 30 Day Letter and Incomplete Letter** responses, please be sure to address your envelopes to the Attention of Licensing and Review in the manner shown below.

NEW ADDRESS

Commissioner of Patents
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
Attn: Licensing and Review

Thank you,
Licensing and Review

FIRST CLASS MAIL



333 W. San Carlos Street
Suite 600
San Jose, CA 95110-2731

Mail Stop *Licensing and Review*
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

